

## PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 or Fax (571) 273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All future correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless correspondence is directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

7590

09/30/2005

Scott D. Rothenberger  
 DORSEY & WHITNEY LLP  
 Intellectual Property Department  
 50 South Sixth Street, Suite 1500  
 Minneapolis, MN 55402-1498  
 12/23/2005 RHEBRAH1 00000034 10720907

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

## Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

Barb Avery

(Depositor's name)

*Barb Avery*

(Signature)

December 19, 2005

(Date)

01 FC:2501 700.00 OP  
 02 FC:1504 300.00 OP

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/720,907	11/24/2003	Mel Rich	33345/US/4	5293

TITLE OF INVENTION: FORMULATION AND DELIVERY METHOD TO ENHANCE ANTIOXIDANT POTENCY OF VITAMIN E

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$700	\$300	\$1000	12/30/2005

EXAMINER	ART UNIT	CLASS-SUBCLASS
HARTLEY, MICHAEL G	1618	424-458000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Dorsey & Whitney LLP2 Scott D. Rothenberger

3 \_\_\_\_\_

## 3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

## 4a. The following fee(s) are enclosed:

- ☒ Issue Fee  
☒ Publication Fee (No small entity discount permitted)  
☐ Advance Order - # of Copies \_\_\_\_\_

## 4b. Payment of Fee(s):

- ☒ A check in the amount of the fee(s) is enclosed.  
☐ Payment by credit card. Form PTO-2038 is attached.  
☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 04-1420 (enclose an extra copy of this form).

## 5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

*Scott D. Rothenberger*Date December 19, 2005Typed or printed name Scott D. RothenbergerRegistration No. 41,277

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/04

# TRANSMITTAL SHEET (FY 2005)

DEC 22 2005

☒ Applicant claims small entity status (see 37 C.F.R. 1.27)

## Complete if Known

Application No. 10/720,907  
 Filing Date November 24, 2003  
 First Inventor Melvin Rich  
 Group Art Unit 1618  
 Examiner Name Hartley, Michael G.  
 Atty. Docket Number 33345/US/4

## METHOD OF PAYMENT (Check One)

☒ Check ☐ Credit Card ☐ Money Order☒ Deposit Account No.: 04-1420

Deposit Account Name: DORSEY &amp; WHITNEY LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge any additional fees or underpayments of fee(s) under 37 C.F.R. 1.16 and 1.17☐ Credit any overpayments☐ Other (please identify):

## Extra Claim Fees

Current Claims	Prior	Extra	Fee	Fee Paid
Total	20		\$	\$
Ind.	3		\$	\$
Multiple Dependent Claims			\$	\$
Subtotal (Extra Claims)				\$

## Petition Fee Under 37 CFR 1.17(f), (g), &amp; (h)

Enclosed is a Petition filed under 37 CFR as indicated below:

- ☒ Petition Fee under 37 CFR 1.17(f) **Fee \$400**
- § 1.53(e) to accord a filing date.
  - § 1.57(a) to accord a filing date.
  - § 1.182 for decision on a question not provided for.
  - § 1.183 to suspend the rules.
  - § 1.378(e) for reconsideration of decision on petition refusing delayed payment of maintenance fee in expired patent.
  - § 1.174(b) to accord a filing date to an application under §1.740 for extension of patent term.
- ☒ Petition Fee under 37 CFR 1.17(g) **Fee \$200**
- § 1.12 for access to an assignment record.
  - § 1.14 for access to an application.
  - § 1.47 for filing by other than all inventors or person not the inventor.
  - § 1.59 for expungement of information.
  - § 1.103(a) to suspend action in an application.
  - § 1.136(b) for review of a request for ext. of time when §1.136(a) not avail.
  - § 1.295 for review of refusal to publish a statutory invention registration.
  - § 1.296 to withdraw a req. for pub. after notice of intent to publish issued.
  - § 1.377 for review of decision refusing to accept a maintenance fee filed prior to expiration of a patent.
  - § 1.550(c) for request for ext. of time in *ex parte* reexam. proceedings.
  - § 1.956 for request for ext. of time in *ex parte* reexam. proceedings.
  - § 5.12 for expedited handling of foreign filing license.
  - § 5.15 for changing the scope of a license.
  - § 1.5.25 for retroactive license.
- ☒ Petition Fee under 37 CFR 1.17(h) **Fee \$130**
- § 1.19(g) to request documents in a form other than provided in this part.
  - § 1.84 for accepting color drawings or photographs.
  - § 1.91 for entry of a model or exhibit.
  - § 1.102(d) to make an application special.
  - § 1.138(c) to expressly abandon an application to avoid publication.
  - § 1.313 to withdraw an application from issue.
  - § 1.314 to defer issuance of a patent.

## FEE CALCULATION (Continued)

## 3. ADDITIONAL FEES

Large Entity Fee	Small Entity Fee	Fee Description	Fee paid
50	25	Surcharge - late provisional filing fee or cover sheet	
130	65	Surcharge - Late nonprovisional filing fee or oath	
180	180	Submission of IDS	
40	40	Recording each patent assignment per property (times number of properties)	
120	60	Extension for reply within first month	
450	225	Extension for reply within second month	
1,020	510	Extension for reply within third month	
1,590	795	Extension for reply within fourth month	
2,160	1,080	Extension for reply within fifth month	
790	395	Submission After Final 1.129	
500	250	Notice of Appeal	
500	250	Filing a brief in support of an appeal	
1,000	500	Request for oral hearing	
110	55	Terminal Disclaimer Fee	
1400	700	Issue Fee	\$700.00
790	395	Request for Continued Examination (RCE)	
300	300	publication	\$300.00
500	250	Petition to Revive - unavoidable	
1,500	750	Petition to Revive - unintentional	
200		Filing for patent term adjustment	
400		Request for reinstatement of term reduced	
1,120		Extension of term of patent	
OTHER FEE (specify)			

Subtotal (Additional Fees) \$1,000.00

Total Amount of Payment: \$1,000.00

Submitted by:

CUSTOMER NUMBER

25763

DORSEY &amp; WHITNEY LLP

Name: Scott D. Rothenberger

Phone No.: (612) 340-8819

Fax No.: 612-340-8856

Signature:

Reg. No.: 41,277

Date: December 19, 2005